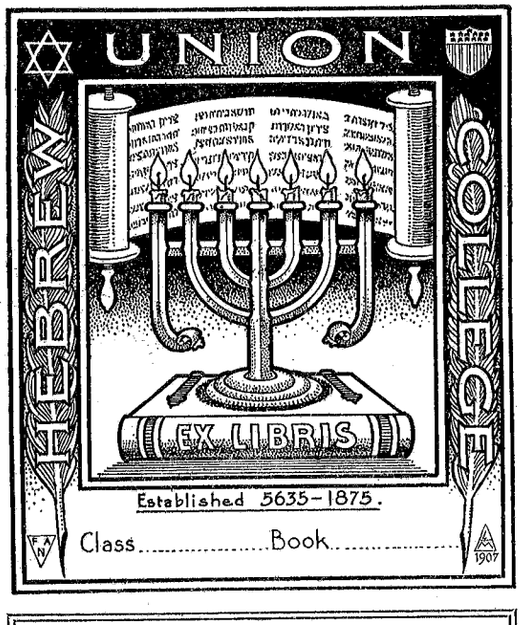

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BLOOD REVENGE AND BURIAL RITES IN ANCIENT ISRAEL

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GOETHE, in speaking of laws and legal rights, says that they are transmitted from age to age like an eternal disease. I have often wondered if Goethe, were he living today, would not extend his remark to some of our most firmly rooted Biblical theories, which for over half a century have found their way from one Biblical commentary or textbook into another, without their validity ever being questioned. One of these theories pertains to the condition under which a murder is supposed to have been subject to blood-revenge. Biblical scholars have been wont to hold that in ancient Israel bloodshed called for vengeance only when the murdered person was left unburied, or, in Biblical phraseology, when his blood was left uncovered, unabsorbed by the earth. Conspicuous in the confusion caused by this erroneous view is the prevailing interpretation of Job 16. 18:

אֶרֶץ אַל תְּכַסִּי דָמִי וְאַל יְהִי מָקוֹם לְזַעֲקָתִי.

The first part of this verse, 'Let not earth cover my blood,' is invariably explained to mean that Job prays that, when he dies, his blood, *i. e.* his body, may be left unburied to appeal to Heaven for vengeance for his premature and unjust death. In line with this interpretation the second part of the verse is as a rule translated: 'And let my cry have no resting-place,' and is explained to mean that Job prays that his *post mortem* cry for vengeance may not be intercepted, but that it may penetrate unto God. This translation of the second half-verse, it may readily be seen, is unfounded, for in addition to the fact that the interpretation reads far more into *resting-place* than the word can possibly imply, there is the far weightier objection that מָקוֹם does not mean *resting-place* at all, either in Hebrew or in any of the cognate languages. The translation of the AV 'And let my cry have no place,' is decidedly superior to that adopted by the RV and the exegetes. But this is a minor point compared with the fact that, even if the notion on which

the prevailing interpretation of the verse is based were a real, instead of a purely imaginary one, it would have no relevancy to the case in question; for since Job was threatened, not with a violent, but with a natural death, from disease at the hand of God, it is obvious that his death, however premature and unjust, was not a case for blood-revenge. It is absurd to represent Job as appealing to God to avenge his unjust death—avenge it on whom? on God Himself? The situation would be quite different from that met with later on in the chapter where Job, praying for his vindication, appeals from the God who has mercilessly smitten him to the God of love and compassion—the God of his faith. The decisive point is that neither in Israel nor among any other people of ancient times did the notion exist that violent death called for vengeance only as long as the blood remained uncovered, or, what is the same thing, as long as the slain one was left unburied.

As in pre-Mohammedan Arabia, so in Israel, blood-revenge was sought for those slain in blood-feuds or for those deliberately murdered (and at one time also for those killed without premeditation or design), irrespective of whether the slain person was duly buried or not. Thus Joab avenged the blood of his brother Asahel on Abner after Asahel's remains had been buried.[1] Further, David on his death-bed enjoined upon Solomon to avenge the blood of Abner (slain thirty years previously), and of Amasa, on their slayer Joab (for David himself it would have been too risky a matter to seek vengeance for either of them); yet of Abner we are told that he was buried immediately after his death, and moreover that the burial ceremonies were performed by the king and the entire nation.[2] Note finally that in the story of Genesis about Cain's being called to account for the blood of his brother crying for vengeance, commonly quoted in support of the prevailing interpretation of Job 16. 18, the very opposite is stated, that Abel's blood had been absorbed by the earth: 'Be thou cursed from the ground which opened its mouth to receive the blood of thy brother from thy hands' (Gen. 4. 10-11).

Of the abundant proof to the same effect in Arabic literature

[1] Cf. 2 Sam. 2. 14-32; 3. 27, 30.

[2] Cf. 2 Sam. 3. 29 f., 31-39; 1 Ki. 2. 5 f., 31 ff.

it will suffice to mention: (1) the instances narrated in *Sirat Antar* of the custom of killing prisoners from the hostile tribe on the grave of a slain kinsman in revenge for his death.[3] (2) The notion that the grave of a slain person remains dark as long as his death has not been avenged, but that when avenged it becomes bright. This notion is referred to in the following verses from Hamāsa:

'Abdallah, when his day of death came,
Sent his kinsmen word:
Accept no blood-money from them for my murder,
Accept neither foals nor calves from them,
That I may not be left in a dark house (*fī baiṭin muẓlimin*)
on Sa'da.'[4]

(3) And finally we have to mention a notion that supplements the preceding one—a notion very common in Arabic literature—that the body of a slain person whose death has not been avenged is turned to a bird (called *hāmat*) which at night-time cries at, or from, his grave: 'Give me to drink, give me to drink!' (*viz.*, vengeance-blood), and which flies away as soon as its thirst for vengeance has been satisfied.[5]

It will be noted that the lines cited from *Ḥamāsa* 1, p. 106 f., mention expressly that Abdallah, whose blood-revenge is urged, rests in his grave on Sa'da. Still more explicit (to mention one of the many other examples to this effect) is the poem of Miswar ben Sijada (*ib.* p. 119 f.). The poet begins by stating

[3] Cf. I. Goldziher, *Muhammedanische Studien*, 1, pp. 243 f. and 245 ff. The fact that these instances suffer from exaggeration as to the number of the prisoners killed does not invalidate their bearing on the question at issue.

[4] G. G. Freytag, *Ḥamasae Carmina*, 1, p. 106, v. 4; p. 107, v. 1. The proper meaning of *baiṭ* in the last verse is 'grave;' Arabic has this specific meaning of *baiṭ* in common with all other Semitic languages.

[5] Cf. *Ḥamāsa*, 1, p. 453, v. 7, and Freytag's exhaustive comments on both this verse and on 400, v. 1 in vol. 2, pt. 2, p. 164 f., and p. 72, where Freytag cites Fīrūzābādī in elucidation of the notion underlying the death-bird called *hāmat;* cf. also 1, p. 350, v. 6, where this notion is referred to again. Doughty, *Arabia Deserta*, 1. 168, and Wellhausen, *Reste des Arabischen Heidentums*, 2d ed., p. 185, confound the death-bird *hāmat*, which interests us here, with the death-bird named *ṣada'*. The latter was believed to issue from the head, or rather the brain (the seat of the soul) of a dead person after the body had decomposed.

circumstantially that his father, whose death he is determined to avenge, lies on Mt. Kuwaikib in his grave duly built of earth and stones.

The two Arabic notions mentioned a moment ago, regarding the slain whose death has not been avenged, are of importance as showing that blood-revenge among the Semites was governed by the same primitive belief as in ancient Greece—the belief that the souls of those who have met a violent death, the *βιαιοθάνατοι* as they are called in late Greek literature, cannot find rest in the nether world, but are condemned to haunt the earth as wretched spirits until their death has been duly avenged on their slayers.[6] Though we have no express statement to that effect, there can be no doubt that the same belief prevailed in Israel, the more so since there is a striking similarity between the Israelitish and Greek practices pertaining to blood-revenge, as also between the burial rites of the two countries. This similarity is not at all surprising when we remember that these rites and beliefs belong to the stock of religious notions and practices common to all nations. The differences are not essential; they pertain merely to the local coloring.

In proof of my thesis the following particulars may be pointed out. In both Greece and Israel the right, or rather the duty, of seeking blood-revenge was primarily incumbent on the next of kin of the murdered person, but in course of time it became the prerogative of the state. It is important to note, however, that the state did not exercise this right, any more than the next of kin had done, with a view to satisfying offended justice, but solely for the purpose of appeasing the unhappy spirit of the slain one and stilling its thirst for vengeance. In both countries, the prime interest of the state in exercising control over blood-revenge was to determine whether a murder was a premeditated act of malice, or whether it was purely involuntary and accidental. As long as blood-revenge was the exclusive right of the kin of the person killed, the motive and circumstances of the homicide were negligible factors; the mere fact of being responsible, however unwittingly, for the person's death constituted a lawful case for blood-revenge, as we know

[6] See below, p. 311.

from Homer in the case of Greece,[7] and from the Deuteronomic and Priestly homicidal laws in the case of Israel,[8] not to speak of the abundant evidence to the same effect in Arabian history.

To remedy this evil, the baneful consequences of which are strikingly illustrated in the continuous blood-feuds of early Arabia, the state instituted trial for murder. This meant in Greece[9] and Israel[10] alike that thenceforward the punishment for accidental homicide was temporary exile, but in the case of wilful murder and manslaughter the right to take blood-revenge was still conceded to the next of kin.[11] This shows that the duty of blood-revenge was as binding as ever—a conclusion which is further borne out by the regulations pertaining to homicide in the Biblical laws I mentioned a moment ago. It is specified that, if the person guilty of accidental homicide left his place of exile before the expiration of his term, the victim's next of kin might legitimately kill him.[12] And from another specification it is to be inferred that the next of kin was not held accountable if he took blood-revenge on the involuntary slayer before he surrendered to the court of justice.[13] That in Greece, too, the kinsmen of the one accidentally slain were free to take vengeance if the slayer returned from exile before his term was up, may be deduced from the fact that at the expiration of his term they were obliged to forgive him and to permit his return to the country.[14] The one point in which the Greek

[7] See E. Rohde, *Psyche, Seelencult und Unsterblichkeitsglaube der Griechen,* 4th ed., 1. 260 f., 265.

[8] Cf. Nu. 35. 24-27; Deut. 19. 6; Josh. 20. 3 ff.

[9] See Rohde, *op. cit.* 1. 266.

[10] See Nu. *ib.* vv. 22-25, 28; Deut. *ib.* vv. 4 f.; Josh. *ib.* vv. 2-6. Cf. also below, note 25, where it will be shown that banishment of the slayer from his home-community to one of the refuge-cities is to be classed as exile.

[11] See Nu. *ib.* vv. 16-21; Deut. *ib.* vv. 11-12. Of the older sources which contain evidence that taking blood-revenge was primarily the right of the next of kin, compare especially 2 Sam. 14. 6-11. In Greece the old right of the kinsmen to blood-revenge was recognized to the extent of allowing them to act as a sort of prosecuting attorney in the murder-trial; see Rohde, *op. cit.* 1. 263 ff., 265.

[12] See Nu. *ib.* vv. 26-27.

[13] See Deut. *ib.* v. 6.

[14] See Philippi, *Areopag und Epheten,* p. 115 f., and Rohde, *l. c.*

and the Hebrew homicidal law differed was that while the former allowed the kin of the person killed to grant his slayer immediate pardon and release from exile, whether with or without payment of blood-money,[15] the latter interdicted this practice.[16] Both laws had the same provision that in case of deliberate murder and manslaughter the crime should be expiated by the blood of the murderer; under no condition should blood-money be accepted.[17] By this prohibition the older practice of accepting blood-money for wilful murder was made unlawful. This practice prevailed in the Greece of Homeric times,[18] and evidently also in the Israel of preëxilic times, as may be concluded from the emphatic refusal of the Gibeonites to accept blood-money for the crime perpetrated on them by Saul.[19] Arabic literature too is full of references to this practice,[20] which, in fact, was common to all peoples of ancient times. The motive by which the lawgivers were actuated in abolishing the older practice is expressed in the homicidal law of the Priestly Code: 'Ye shall not desecrate the land wherein ye live, for bloodshed desecrates the land; and no expiation can be made for the land for the blood shed in it except by the blood of him who shed it; nor shall ye defile the land in which ye live, wherein I abide.'[21] It was the conse-

[15] See Rohde, *op. cit.* 1. 266.

[16] See Nu. *ib.* v. 32.

[17] See Rohde, *op. cit.* 1. 266; Nu. *ib.* v. 31.

[18] See Rohde, *op. cit.* 1. 261 f.

[19] See 2 Sam. 21. 4. This is the meaning of the generally incorrectly translated אין לנו כסף וזהב עם שאול ועם ביתו 'Silver or gold cannot appease us in our feud with Saul and his house;' note the continuation ואין לנו איש 'nor can any man in Israel (at large) appease us;' עם שאול ועם בישראל are qualificatives of לנו ביתו; as to another example of אין לנו with similar meaning, cf. Jer. 8. 17 אשר אין להם נחש 'against which no charm will avail.'

[20] Cf. *e. g.* the verses cited above, p. 305 from *Ḥamāsa,* 1. 106 f., also the poem referred to of Miswar b. Sijada (*ib.* 119 f.). Refusing the sevenfold blood-money offered him for his father's death by Saihdo b. Alhazi, Miswar declares that it would be disgraceful were he to accept the blood-price from him whom his filial duty demands that he kill. In a similar strain acceptance of blood-money is spoken of *Ḥamāsa,* 1. 105, v. 2; 106, vv. 2-3; 234, l. 22 (schol.); and 236, l. 4 (schol.).

[21] Nu. *ib.* v. 33 f. That חונף means 'desecrate' or 'put the stigma of sacrilegiousness on' (the land), and not 'pollute,' follows from the

quences of unexpiated blood-guilt which the people feared in Greece and Israel alike. The whole country might be visited with calamity if bloodshed were not duly avenged. The Books of Samuel tell that the land suffered famine for three years because of Saul's unavenged murder of the Gibeonites, 2 Sam. 21. 1-6. Further light is shed on this point by Greek sources. Both in early and in later Greek literature, the belief is met with that the soul of the murdered person, prevented from entering the realm of Hades and compelled to haunt the earth, wreaks its wrath on all those who should have avenged the crime committed against it, but who did not. Greek literature is full of stories of the afflictions visited on people by those incensed spirits; their wrath was believed to remain active even for generations.[22] The real import of our verses from the homicidal law of the Priestly Code will now be seen. In Israel as well as in Greece the prosecution and punishment for murder and manslaughter was at bottom a religious act.[23] The view expressed in the two verses that bloodshed defiles the land we find more explicitly stated in the works of the Greek orator Antipho: 'The *μίασμα* of blood-guilt,' he says, 'pollutes the entire city; the murderer defiles by his presence all those who sit with him at the same table or live with him under the same roof, also the sanctuaries which he enters; in consequence dearth (*ἀφορίαι*) and disaster (*δυστυχεῖς πράξεις*) will befall the city.'[24] Note that, as in the Biblical account of the suffering caused the land on account of Saul's blood-guilt against the Gibeonites, so in Antipho *dearth* is specifically mentioned as a consequence of unexpiated bloodshed. It is not possible here to enter into a full discussion of this idea. It can only be briefly mentioned that as in Greece, so among the Semites, the notions and practices pertaining to burial and bloodshed find their ultimate explanation in a once existent worship of

fact that the latter supplementary consequence of blood-guilt is stated in the following verse. Besides, this meaning of the Hif'il agrees far better with the meaning of the ground-form 'to be impious' and 'to be desecrated.'

[22] See Rohde, *op. cit.,* 1, pp. 264 f., 269 f., 275 ff.

[23] This character of the Greek murder trial has been duly pointed out by Rohde, *op. cit.,* 1. 267-275.

[24] Quoted by Rohde, *op. cit.,* 1. 275, note 2.

chthonic gods, chief among whom was Gaea or Mother Earth. She was dispenser of the produce of the soil and of life in general; above all it was her province to receive back into her lap the spirits of the deceased. On all those who either directly or indirectly prevented any of her children on their death from entering her realm she (in unison with the other chthonic gods) wreaked vengeance by withholding the blessings of the soil.[25]

We can now understand also the significance of the piacular sacrifice which, in case of an untraced murder, the Deuteronomic Law prescribed for the city nearest to the place where the body was found (Deut. 21. 1-9). The heifer was no doubt a substitute for the unknown murderer, offered at the same time to the spirit of the slain one and to the incensed god to appease their wrath. The uncultivated ravine with its perennial stream,

[25] For the fuller material bearing on this point, see Rohde, *op. cit.*, 1. pp. 205-212, 246 f., 272 f.; A. Dieterich, *Mutter Erde*, pp. 38 ff., 42-54, 65-69, 73-79, 83 f. When I read this paper at the meeting of the Middle West Branch of the American Oriental Society at Urbana, Ill., my attention was drawn by my friend and colleague, Prof. Morgenstern, to the fact that valuable material on this point is found also in J. G. Frazer, *Folklore in the Old Testament* (1918), 1. 79-85. Frazer remarks in regard to the curse of Cain—'Cursed be thou from the ground . . .; when thou tillest the ground, it shall not henceforth yield unto thee its strength; a fugitive and vagrant shalt thou be on earth'—: 'The implication apparently is that the earth, polluted by blood and offended by his crime, would refuse to allow the seed sown by the murderer to germinate and bear fruit; nay, that it would expel him from the cultivated soil on which he had hitherto prospered, and drive him out into the barren wilderness, there to roam a houseless and hungry vagabond' (p. 82 f.). It seems to me, however, that Frazer, carries this point somewhat too far. As to the geographical limits of the expulsion from the country, in this, as well as in the other interesting parallel cases quoted by him, it is important to remember that, like all other gods, the Mother Earth-goddess (as Rohde, p. 204, and Dieterich, p. 79, point out) was primarily a mere local deity whose domain did not extend beyond the confines of any certain province or locality. And since her sphere of dominion was thus locally confined, it follows also that the banishment of an involuntary manslayer from his community to one of the refuge-cities in Israel is properly to be classed, as I have classed it above, with exile from the country. Frazer fails to see the significance of the Biblical expression, '*the blood* of thy brother,' in Gen. 4. 10, and other similar passages; and also, strange to say, he repeats the erroneous view which, owing to their misinterpretation of Job 16. 18, Ez. 24. 7-8, etc., prevails among Biblical scholars regarding blood-revenge (see p. 101 f.).

Biblical scholars rightly hold,[26] must at one time have been the sacred ground of a deity. Another object of the ceremony was to serve as a purification rite for the community imperilled by the murder. By their declaration that they were innocent of complicity or even of any knowledge of the crime, the elders cleared themselves of all guilt, in order to avert calamity from their community.

In proof of the second part of my thesis, the similarity of the Greek and the Hebrew, or, I might say, the Semitic, burial rites, as well as in further refutation of the prevailing interpretation of Job 16. 18, I may refer to the notion common to both Greece and Israel, that to leave a dead body unburied was a flagrant religious offense. The reason for this notion is explicitly stated in Greek literature. Like the souls of the *βιαιοθάνατοι*, the souls of the *ἄταφοι*, 'unburied bodies,' it was thought, could not find rest in the nether world, but were obliged to haunt the earth, and vented their wrath on the land in which they were retained against their will. The denial of burial, Isocrates says therefore, 'is more calamitous for those who refuse it than for the bodies left unburied.'[26a]

Equally explicit is Babylonian and Assyrian literature on this point. Among the dreaded *Utukki limnuti*, 'Evil Spirits,' which were thought to haunt mankind and to work all sorts of evil until they were laid to rest by exorcism, there figured prominently the *Ekimmu* or 'Departed Spirits.' There were three distinct classes of *Ekimmu:* (a) spirits compelled to return from the nether world to earth because their descendants ceased making offerings and libations to them; (b) spirits of those that met with a violent or premature[27] death; (c) and spirits of unburied bodies (of special interest to us at this point), which are spoken of in the following texts:[28]

[26] Cf. among others A. Bertholet, *Deuteronomium*, p. 65; B. Stade, *Biblische Theologie des Alten Testaments*, p. 107.

[26a] Isocr. 14. 55. See Rohde, *op. cit.* 1. 217, 2. 83 f., 412 f.

[27] In Greece too those that met with an untimely death, *ἄωροι*, shared the fate of the *βιαιοθάνατοι* and the *ἄταφοι*. See Rohde, *op. cit.*, 2. 83, 411 ff.

[28] See R. C. Thompson, *The Devils and Evil Spirits of Babylonia*, 1, pp. xxvii-xxxii, 39 f.; M. Jastrow, *Die Religion Babyloniens und Assyriens*, 1. 358 f., 371 ff. My translations of the cited texts are based on their German rendering by Jastrow.

'Whether it be one (*i. e.* an Ekimmu) that was cast out in the open field,
Whether it be one that was cast out in the open field and was not covered with earth, . . .
Whether it be one that on a boat met death in the water,[29]
Whether it be an unburied Ekimmu;'

(Incantation) 'Against him that was thrown in a ditch, . . .[30]
Uncovered by a grave,
Against a ghost that has not obtained rest,
(The body) of which was cast out without being covered,
Whose head was not covered with earth,
The king's son (or the person) that lies in the open field,
Or that was cast out on a heap of debris,
Against the hero who was slain with the sword.'

And in the conclusion of the epic of Gilgamish we read:

'He whose body was cast out in the open field—
Thou and I have seen such—
His spirit cannot find rest in the earth.'

The *Utukki limnuti* literature of Babylonia and Assyria shows, as Jastrow rightly emphasizes, 'that an unburied body was considered to be not only a curse to the deceased person, but also a peril to the living. The wandering ghost of the unburied person was thought to wreak vengeance on the living by causing all sorts of evil.'

There is ample proof that this view was fully shared by Israel. Just as in Greece, executed criminals might be left unburied only temporarily, because of the danger the country had to fear from unburied bodies,[31] so in the Deuteronomic Code it was laid down as law that the body of a criminal be not left hanging over night, but that it be buried the same day, the reason given for this law being that 'A body left hanging brings down the curse of God' (Deut. 21. 23). Further, the Books of Samuel narrate that, because the bones of Saul and Jonathan were left unburied, the country was overtaken by calamity, which did not pass until their bones were duly buried.[32] To be left unburied is viewed as a terrible curse throughout Old Testament literature, in the canonical and non-canonical books alike.[33] The duty of burial was regarded as such a sacred one that, in the Book of Tobit, Tobit, in defiance of the interdict of King Sennacherib, buries the bodies of his slain coreligionists at the risk of his life,[34] just as in a similar situation Antigone does in the Greek drama. To what extremes the people went in the matter of burial may best be seen from the fact that it was made obligatory to pour the blood of a slaughtered animal upon the ground (for absorption by the earth) and, in addition, to cover it with earth (unless the blood of the animal was sacrificed unto God on the altar), 'the blood,' as the law explains, 'being the seat of the soul of every being.'[35]

Of the two passages, Is. 26. 21 and Ez. 24. 7-8, generally referred to in support of the mistaken interpretation of our Job passage, 'Let not earth cover my blood,' the former, Is. 26. 21, has no bearing whatever on the question under discussion. The clue to its meaning is furnished by v. 19, in which the hope is expressed for the resurrection of the nation's dead. Verse 21, 'For Yahve will come forth out of his place to punish the inhabitants of the earth for their guilt, and the earth will disclose its blood (את דמיה) and will no more cover its slain,'

[29] Also in Greece a drowned person whose body was not removed from the water was considered to be unburied. When after the naval battle at Arginusae the bodies of the fallen warriors were not taken out of the water for burial, the people were so incensed that they put six Athenian commanders to death.

[30] The omitted line Jastrow reads *purusu la uparris*, 'Dessen Entscheidung—*i. e.* Recht—[nicht ausgeführt ist],' and explains it to mean 'dass dem Toten das ihm zukommende Recht, würdig bestattet zu werden, nicht gewährt worden ist.' If this reading and interpretation is correct, Soph. *Ant.* 1071, ἀνόσιον νέκυν, 'a corpse with all the rites unpaid,' may be referred to for comparison.

[31] See Rohde, *op. cit.* 1. 217, note 4.

[32] 2 Sam. 21. 12-14. In vv. 1-14 two stories have become fused—the story of the visitation of the country with famine because of the blood-guilt incurred by Saul against the Gibeonites, and the story of the visitation of the country with a calamity, not specified in the present text, because the bones of Saul and Jonathan were left unburied.

[33] Cf. 2 Ki. 9. 10, 34-37; Is. 14. 19; Jer. 7. 33, 8. 1 f., 9. 21, 14. 16, 16. 4 ff., 22. 18, 25. 33; Ez. 29. 5; Ps. 79. 2 f.; 2 Macc. 5. 10, 9. 15, 13. 7; Jubil. 23. 23; I Enoch 98. 13.

[34] Tobit 1. 18 f., 2. 3-8.

[35] Lev. 17. 13 f.; Deut. 12. 16, 23 f.

says that when God appears to sit in judgment over the world-powers, the Jewish martyrs will rise from their grave to prefer accusations against their slayers. As a matter of fact, this interpretation is given by a number of scholars,[36] but, strange to say, the same scholars combine with it the mistaken interpretation, apparently oblivious to the fact that logically the one interpretation excludes the other. Conclusive proof of this is that for דמיה the text originally read פיה, as may be deduced from *στόμα* of G^{A}. 'The earth will open its mouth' is a more satisfactory reading from every point of view.

Ez. 24. 7-8 is not quite so simple. In putting these verses into English I am obliged to depart from the order of the clauses in Hebrew and to translate v. 7b after 7c, in order to bring out the sense:

'For her blood is in her midst; not on the ground, to be covered with earth, has she poured it, but on the bare rock has she put it to stir up wrath—*i. e.* divine wrath—to take vengeance. *I* have put her blood on the bare rock that it may not be covered.'

The only point that cannot be definitely settled is what circumstances are referred to by 'Her blood is in her midst.' Owing to the general obscurity of vv. 1-14 and to the fact that it is doubtful whether vv. 7-8 are an integral part of them,[37] it cannot be ascertained whether by 'her blood is in her midst' the author has reference to blood-guilt or to the victims of the catastrophe of the year 597 or 586 B. C., as the case may be, though the use of the singular דם might be considered as an argument in favor of the latter. Note that in Ez. 21. 37 the same expression is used in connection with the end which Moab is to meet with on his own soil;[38] cf. also Jer. 14. 16, 16. 4, and other similar passages. However, the exact reference in 'Her blood is in her midst' is after all immaterial for our purposes; the main thing is that, in the light of what has been pointed

[36] See Hitzig, *Jesaia;* Frz. Delitzsch, *Das Buch Jesaia;* Smend, *Anmerkungen zu Jesaia 24-27* (in *ZAW* 4. 188 f.): and Dillmann-Kittel, *Jesaia,* 6th ed.

[37] Cf. Rothstein in Kautzsch, *Die Heilige Schrift des Alt. Test.* 3d ed. 1. 883 f., where these two points are discussed at length.

[38] Even 'Thy blood shall lie in thy land' of this verse has been interpreted by some scholars in line with the mistaken notion under discussion.

out about blood-revenge and the sacredness of the duty of burial in ancient times, the rest of vv. 7-8 admits of but one interpretation. Ezekiel means to point out that the blood, *i. e.* the bodies,[39] of those of the people who died, or, it may have been, were slain, have flagrantly been left uncovered with earth, *so that the divine wrath must be stirred to take vengeance.* The mistake in the current interpretation is due to the failure of the scholars to take cognizance of the grammatical construction: In v. 8a לנקם נקם is not coordinate with but subordinate to להעלות חמה, as the RV rightly takes it, and as it was in fact understood by G: *τοῦ ἀναβῆναι θυμὸν εἰς ἐκδίκησιν ἐκδικηθῆναι;* and furthermore, this halfverse, in accordance with G, is to be construed with v. 7, not with 8b. The afterthought of v. 8b which ascribes to Yahve the flagrant offense spoken of in these verses is in harmony with Ezekiel's theological reasoning in general—a point on which Biblical scholars are agreed, so that it requires no discussion here. With the phrase, להעלות חמה לנקם נקם 'to stir up wrath to take vengeance,' Iliad 22. 335-358 and Odyssey 11. 51-73 may be compared. In the former, the dying Hector, having vainly implored Achilles not to throw his corpse to the dogs and carrion birds, but to return it to his kin for burial, warns him *μή τοί τι θεῶν μήνιμα γένωμαι,* 'Let me not become a cause of wrath to thee'—*i. e.* in case Achilles carries out his threat; and in the latter, the shade of Elpenor, in adjuring Odysseus not to leave his body on the Aeaean Island without burial, expresses the identical warning. In both Ezekiel and Homer the reference is to the divine wrath roused to vengeance by the sacrilege of leaving the bodies unburied.

We may now consider the real meaning of Job 16. 18a, ארץ אל תכסי דמי 'Let not earth cover my blood.' The meaning of these words is very plain, when it is remembered that the blood was thought to be the seat of life, or of the soul, of every being, and that accordingly דם occurs in Gen. 9. 4, and Lev. 17. 14, and also Deut. 27. 25, as an equivalent term of נפש, meaning 'life,' 'person,' 'self.' It is in this same sense that it is used here in Job. Similarly דם is used Ps. 72. 14 'May their life (דמם) be precious in his eyes,' as is shown by נפשם of the parallel clause, and again Ps. 30. 10, 'What profit is

[39] See below, p. 316.

there if my life is sacrificed (בדמי);'[40] and finally 1 Sam. 26. 20, אל יפל דמי ארצה מנגד פני יהוה, which, without the prepositional phrase, is as we shall see presently, an equivalent phrase of ארץ אל תכסי דמי. Neither in Ps. 30. 10 and 72. 14 nor in 1 Sam. 26. 20 does דם imply a violent death. In 1 Sam. 26. 20 David does not express the fear that if he were to be killed in a foreign land there would be none to avenge his blood (as the verse is generally explained), but expresses the wish that he may not die in a foreign land. Not to be buried in one's native country was in ancient Greece, we know, considered a terrible punishment,[41] for the reason that only in one's native land, the domain of the native gods, was it possible for those burial rites to be performed which were held essential for the soul's rest in the nether world. This belief explains why among the Greeks the remains of persons that died in a foreign country were so often taken home to Greece for interment.[41a] That this belief was shared by ancient Israel is shown not only by David's appeal to Saul in the passage under discussion, but by the requests of Jacob and Joseph in the story of the Patriarchs—in the one case, that his remains be not buried in Egypt, and in the other, that they be not left there, but in both that they be taken to Canaan for burial. Among the Bedouin of Arabia Petraea, where so many primitive beliefs and customs have been preserved unchanged, this notion prevails up to the present day. Proof of this I find in two funeral songs published some ten years ago by A. Musil;[42] in the one the person slain in a foreign land is addressed as follows: 'Return to your native land, do not die in a foreign country;' and in the other the person that met with such a fate exclaims: 'I must die far from home, but my kinsfolk are numerous, and by courage and sacrifice they will bring my body home.'

[40] The preposition ב is ב of price; בדמי of this example is akin to בנפשו 'at the risk,' and 'at the peril of his life,' 1 Ki. 2. 23 and Pr. 7. 23 respectively, *et alit.* דם with the meaning 'life' is found also in Talmudic Aramaic and Neo-Hebraic (see Levy, *Neuhebräisches Wörterbuch, s. v.*) and in Arabic (see Dozy, *Supplément aux Dictionaires Arabes, s. v.* دَمٌ).

[41] See W. Fischer, *Rheinisches Museum,* N. F. 20. 445 ff.; Rohde *op. cit.* 1. 217 f., and A. Dieterich, *op. cit.* p. 52.

[41a] See Rohde, *op. cit.* p. 217, n. 2.

[42] *Arabia Petraea,* 3. 340.

אל יפל דמי ארצה means 'Let me not sink into the grave,' *i. e.,* let me not die. The expression belongs in the category of stock phrases not limited to Hebrew and Semitic languages, but common also to Indo-European languages; its Greek equivalent is *γαῖαν* or *χθόνα δῦναι,* 'to sink into the earth,' or 'to go to the grave.'[43] A similar stock phrase is ארץ אל תכסי דמי meaning 'let me not (die and) be laid in the earth;' of its numerous Greek equivalents may be mentioned *ὅπου κύθε γαῖα,* 'Where the earth covered him,' meaning 'where he was buried'[44]—a meaning, which, as Merry and Riddel point out, is settled beyond doubt, first of all, by the use of the aorist, and further, by the continuation, *καὶ ὅν τινα πότμον ἐπέσπεν;*[45] *ὑπὸ χθονὸς κεκευθέναι,* 'to be buried;'[46] *χθονὶ γυῖα καλύψαιμι,* '(up to the time) when I shall have my body covered with earth,' *i. e.,* until I am dead;[47] *Ἐτεοκλέα . . . κατὰ χθονὸς ἔκρυψε,* 'he buried Eteocles;'[48] and *ὁ κατὰ γῆς* (ellipsis for *ὁ κατὰ γῆς κρυψάμενος*), 'one dead and buried.'[49] As an equivalent to the last phrase we may consider Arabic *ganīnun* (verbal adjective of *ganna,* 'to cover,' used as a collective), 'those dead and in the grave.'[50]

Of other Arabic equivalents of ארץ אל תכסי דמי I shall mention:

li'ummi 'l-'arḍi ġaiḷun ma' 'agannat,
'Woe unto Mother Earth[51] because of that *precious body* which she covers

[43] Il. 6. 19 and 411.

[44] Od. 3. 16.

[45] Cf. *Homer's Odyssey,* ed. by W. W. Merry and J. Riddel, *ad loc.*

[46] Aesch. *Theb.* 588.

[47] Pind. *N.* 8. 65.

[48] Soph. *Ant.* 24 f.

[49] Xen. *Cyr.* 4. 6, 5.

[50] 'Amr v. 20. Cf. *Septem Mo'allakat,* ed. F. A. Arnold, Zausanī's comments on the phrase; Th. Nöldeke, *Fünf Mo'allaqat,* 1, p. 36; and the Arabic Lexica of Freytag and of Lane, *s. v.* جَنِينٌ.

[51] *Ḥamāsa,* 457, v. 3. The customary explanation of *'umm,* 'abode,' 'place,' 'sepulchre,' (cf. Freytag in both his commentary and *Lexicon Arabicum,* and also Lane, *Arabic Dictionary*) is wrong. The real explanation is furnished by the kindred expression אם כל חי (Sir. 40. 1), which is said of the earth, and which has especial weight for us here since the sentence in which it occurs speaks, like our Arabic verse, of man's return-

(Where the road approaches Mt. Al-Hasan;)'
ya'alju fatan yārayhu ṭummata,
'What a man they covered there,
(The while their hands heaped dust on him;)'[52]

and the two interesting prepositional phrases *fūḳahu l-'arḍu,* 'covered with earth'[53] and *man taḥta 't-turābi,* 'one that is beneath the dust,'[54] both equivalent to our 'laid beneath the sod.'

As in the case of *yarayhu, Ḥamāsa,* 477, v. 6, and also of *ganīna* 'Amr, v. 20, so in Gen. 37. 26 כסינו את דמו by itself (without ארץ or עפר) means 'bury him.'[55]

ing or being laid to rest, at death, in the lap of the earth (ער יום שובו אל אם כל חי). We have thus in Arabic, too, an interesting example of the universal phrase *Mother Earth* and the religious notion underlying it.

[52] *Ib.* 477, v. 6.

[53] Mutammim's Elegy in Th. Nöldeke, *Beiträge zur Kenntnis der Poesie der alten Araber,* p. 101, v. 28.

[54] *Ḥamāsa,* 373, v. 3.

[55] The various interpretations given of this last phrase show that modern scholars have been at sea regarding it. Following the traditional translation, 'conceal his blood' (RV), 'sein Blut verbergen' (Luther), *celaverimus sanguinem ipsius* (Vulg.), which evidently has its basis in the misunderstood κρύψωμεν of G, Knobel, Delitzsch, and Dillmann interpret the phrase to mean 'durch Verscharren des Bluts den Mord verheimlichen;' Wellhausen, *Composition des Hexateuch,* p. 56, explains it as 'ihn ohne Blutvergiessen umbringen;' Holzinger, Ryle, and Skinner interpret it in line with the erroneous interpretation of Job 16. 18; and Procksch, *Genesis,* p. 220, attempts a combination of the latter interpretation with that of Delitzsch, Dillmann, etc. He says: '"Blut zuschütten," sodass es nicht um Rache schreien kann, und keinen Zeugen hat (Ge. 4. 10, Hi. 16. 18) bedeutet "einen heimlichen Mord begehen" gegenüber ehrlicher Blutrache. Bruderblut, das nicht "zugeschüttet" ist, rächt sich am Leben des Mörders (2 Sa. 14).'—2 Sam. 14 contains, however, nothing to bear out Procksch's contention.

The only exception is Fr. Schwally, who, in *Das Leben nach dem Tode,* 1892, p. 52, rightly remarks: 'Die Phrase כסינו את דמו bedeutet . . . lediglich den ordnungsgemässen Vollzug der Bestattung des Ermordeten.' He invalidates his explanation, however, by adding: 'Unschuldig vergossenes Blut, d. h. die in ihm befindliche Seele, schreit, wenn es nicht bedeckt wird, zum Himmel um Rache, Gen. 4. 10, Ez. 24. 7, Jes. 26. 21, Hiob 16. 18, Henoch 47. 1, 2, 4, bedecktes Blut dagegen nicht' (p. 53).—It should be added that 1 Enoch 47. 1 f., 4, which Schwally quotes as an additional reference, contain nothing that would prove his contention. The verses read: 'And in those days shall have ascended the prayer of the righteous, and the blood of the righteous from the earth before the Lord of Spirits. In those days the holy ones who dwell above in the heavens

The origin of the second group of phrases is to be sought, it seems to me, not so much in the fact that interment was the oldest method of burial the world over, as in the universal practice that went with it of imbedding the body in a layer of gravel and clay, and of covering it with clay and gravel, or with sand and dust,[56] even when placed in an urn or immured. This practice prevailed in Greece in the Mycenaean Age as well as throughout Northern Europe in prehistoric times;[57] and the excavations of recent years have shown that it was also common in Canaan for over a thousand years prior to its conquest by Israel, and that it continued to prevail among the conquerors throughout preëxilic times, if not throughout their entire history.[58]

To this at one time foremost burial rite is traceable the later custom of throwing dust on the body even before it is laid in the grave. Evidence of the existence of this custom among the Arabs is found in *Ḥamāsa,* 423, vv. 1-3:

'In Beidha there lies one that is dead,
. . . His uncle's daughters stand around him,
. . . They throw the dust on him with their hands;
Their throwing dust on him is not inspired by hatred;'[59]

also in Ḥariri:[60]

shall unite with one voice and supplicate and pray and praise and give thanks and bless the name of the Lord of Spirits on behalf of the blood of the righteous which has been shed, and that the prayer of the righteous may not be in vain before the Lord of Spirits; that justice may be done unto them, and that they may not have to be longsuffering forever.. And the hearts of the holy ones were filled with joy because the number of the righteous had been completed, and the prayer of the righteous had been heard, and the blood of the righteous been requited before the Lord of Spirits.'

[56] Occasionally these are found mixed with cinders and ashes.

[57] Cf. Rohde, *op. cit.* 1. 33 f.

[58] Of the literature on the subject cf. especially Vincent, *Canaan d'après l'Exploration Récente* (Paris, 1907), pp. 189, 194-200, 213, 220, 222, 227, 231 f., 270-273, 279; and Steuernagel-Schumacher, *Tell-el-Mutesellim* (Leipzig, 1908), pp. 17-22, 25, 54-62, 158.

[59] 'Their throwing dust on him is not inspired by hatred' receives its point from the fact that throwing dust at a living person is equivalent to cursing him. Thus Shimei, cursing David, threw dust and stones at him (2 Sam. 16. 5 f.).

[60] Ed. de Sacy, p. 107, verse 2 of the Elegy of Abul-'Atahijja.

'Alas! must I wrap thee in the shroud,
And throw dust on thee with my hands.'

The custom prevailed also in Greece. Thus when King Creon interdicted the burial of Polynices, Antigone defied the king and fulfilled her sacred duty to her brother by bestrewing his body with fine dust. Antigone's act is spoken of in the drama as *τὸν νεκρόν τις θάψας*, in explanation of which D'Ooge aptly remarks: 'To strew the body with dust was the essential part of burial, and in the view of the ancients had the same value for the spirits of the departed as burial with full rites.'[61] In the light of this significance of the rite is to be viewed the Athenian law which made it incumbent upon any one who found an unburied corpse to throw some earth or dust on it and which pronounced accursed (*ἐναγής*) him who failed to do so.[62] In such cases the custom (no doubt general), was to throw three handfuls of dust on the corpse: *iniecto ter pulvere curras.*[63]

Another relic of the burial method in the remote ages of history is the custom prevailing among the present day Bedouin of Arabia Petraea of spreading on the bottom of a grave gravel and dust, taken from the place where the person died, and of laying the body on top of it;[64] or of placing a pillow filled with dust under the head of the body.[65] And a vestige of this old burial method may be seen in the world-wide custom which has persisted even to the present day for the friends of the deceased to throw a few clods of earth on the coffin after it has been lowered into the grave.

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[61] See Sophocles' *Antigone*, ed. by M. L. D'Ooge, v. 245 f. Cf. also v. 255 f., *τυμβήρης μὲν οὔ, λεπτὴ δ', ἁγὸς φεύγοντος ὡς, ἐπῆν κόνις*; v. 409 f., and vv. 426-431.

[62] Aelian, *Var. hist.* 5. 15: *νόμος καὶ οὗτος Ἀττικός· ὃς ἂν ἀτάφῳ περιτύχῃ σώματι ἀνθρώπου, πάντως ἐπιβάλλειν αὐτῷ γῆν*; Schol. Soph. *Ant.* v. 255: *οἱ γὰρ νεκρὸν ὁρῶντες ἄταφον καὶ μὴ ἐπαμησάμενοι κόνιν ἐναγεῖς εἶναι ἐδόκουν.*

[63] Horace *Od.* 1. 28. 36.

[64] As in ancient times, even so today, coffins are unknown in Arabia and other Oriental countries. To bury the dead without coffins was at one time a Greek custom, too; it prevailed throughout the Mycenaean Age as well as in the early Attic period (also in Etruria this custom was common); cf. Rohde, *op. cit.* p. 226 f.

[65] See Musil, *op. cit.*, 3. 424 f.

The meaning of the second part of Job 16. 18, ואל יהי מקום לזעקתי is as simple as the first part. מקום ל means 'place for,' 'room for,' or 'occasion for;' with this meaning מקום ל occurs again Sir. 4. 5, לא תתן לו מקום לקללך, 'Give him no occasion for cursing thee.' This meaning of מקום ל requires no further discussion, as it has its exact analogon in English, *place for,* or *room for,* in Greek *τόπος*, and in many other languages. The translation of Job 16. 18b is 'Let there be no occasion for my outcry.' Instead of the unnatural prayer which the prevailing interpretation carried into the verse, the prayer which Job really utters is the simplest, the most natural, that can be imagined. He prays that he may be saved from the grave, so that there may be no place any more for his complaint that, notwithstanding his blameless life, he has been stricken with death.